

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

DENNIS ZOBEL**Plaintiff,****v.****Civil Action No. SA-23-CV-00650-XR****LIBERTY MUTUAL PERSONAL****INSURANCE COMPANY, SAFECO****INSURANCE COMPANY OF INDIANA,****NICHOLAS GONZALEZ, SARA****GONZALEZ,****Defendants.**

AFFIDAVIT

STATE OF TEXAS

§

§

COUNTY OF BEXAR

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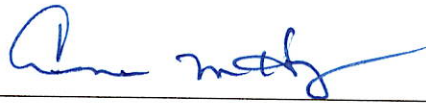
BEFORE ME, the undersigned authority, personally appeared Anna M. Hernandez, who being by me duly sworn, deposed as follows:

“My name is Anna M. Hernandez. I am of sound mind, capable of making this affidavit, and have personal knowledge of the facts herein stated:

I am the legal assistant for Attorney for Edward P. Cano who is the attorney for the Plaintiff, Dennis Zobel in the above referenced case. I have been working with Attorney Cano full time for at least 21 years as a legal assistant. On August 15, 2023 Mr. Cano contacted me and asked me to double check with the Bandera County District Clerk’s office whether any answer had been filed by individual defendant Nicholas Gonzalez and individual defendant Sara Gonzalez in the State District Court No. CVOR-23-0000123, 198th Judicial District Court and styled: Dennis Zobel v. Nicholas Gonzalez, Sara Gonzalez, Liberty Mutual Insurance, and Safeco a/k/a Safeco Insurance.

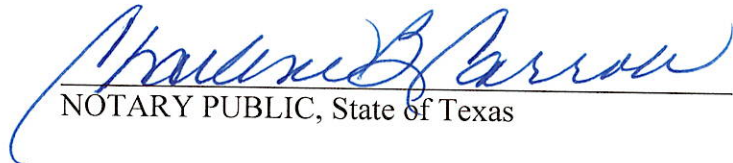
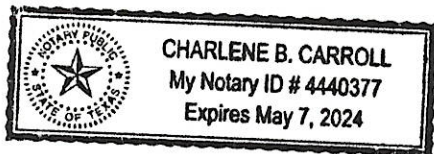
I spoke with Deputy District Clerk, Paula Swinney and asked her whether any answer had been filed by any individual defendants, Nicholas Gonzalez and Sara Gonzalez. Ms. Swinney stated no answer had been filed but noticed the entry of two letters. Ms. Swinney then pulled the file and let me know the letters came from the individual defendants, Nicholas Gonzalez and Sara Gonzalez and were file marked by the Bandera County District Clerk’s on May 18, 2023. I was informed that the letters were not entered into the system as and “answer” but were identified as “letters”. I asked Ms. Swinney if she could send a filed stamped copy,

which I requested and paid for and which Ms. Swinney forwarded to me by email which is attached as Exhibit A to my affidavit.



AFFIANT, Anna M. Hernandez
201 W. Poplar St.
San Antonio, Texas 78212
(210) 223-1099

SUBSCRIBED AND SWORN TO before me on this 22nd day of August, 2023 by Anna M. Hernandez.



NOTARY PUBLIC, State of Texas



Edward Cano <edcanoattorney@gmail.com>

No. CVOR-23-0000123; Zobel v. Gonzalez et al

Paula Swinney <pswinney@banderacounty.org>
To: Edward Cano <edcanoattorney@gmail.com>

Tue, Aug 15, 2023 at 10:32 AM

08/15/2023

Thank you, Anna for payment ID 100275995556 of \$8.00. Your copies are in the enclosed attachments. Have a blessed day. PSwinney

Tammy Kneuper

Bandera County District Clerk

by Paula Swinney, Deputy District Clerk

3360 State Hwy. 173 N., Suite 100

P O Box 2688

Bandera, TX 78003

(830) 796-4606

pswinney@banderacounty.org



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2 attachments



CVOR23-123ORIGINAL RESPONSE-S. Gonzalez.pdf
586K



CVOR23-123ORIGINAL RESPONSE-N. Gonzalez.pdf
524K

In response to,

Cause No. CVOR-23-0000123

The State Of Texas:

Dennis Zobel

VS

Nicholas Gonzalez, Sara Gonzalez,

Liberty Mutual Insurance, Safeco AKA Safeco Insurance

I, Sara Lynn Gonzalez, did not form and sign a contract with Dennis Zobel for the purchase of 11639 Park Rd. 37, pipe Creek, TX. I, Sara Lynn Gonzalez, was the Primary policy holder for the said property in behalf of Nicholas Gonzalez for the purchase of the said property. Around early May, 2021 there was a fire to the said property. When I became aware about the fire, a claim for the said property was made on or around November 2021. It was at that time I came into contact with Doug Lehr who was assigned to my claim on the property and represented liberty Mutual. I was in contact with Doug Lehr regularly regarding the claim, however Neither I nor Doug Lehr were able to obtain a fire report by the Fire Department which responded to the fire. In Addition, further investigation on the property reveled that the property had been sold to a Kenneth Johnson in April prior to the fire occurring and thus the claim was denied by Liberty Mutual.

Sara Lynn Gonzalez

430 W Jefferson St. Port Isabel, TX, 78578

saralynngnzlz@gmail.com

512-395-4421

FILED
AT 130 O'CLOCK P.M. ON

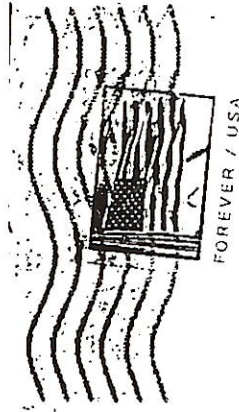
MAY 18 2023

TAMMY KNEUPER, 198TH DISTRICT CLERK
BANDERA COUNTY, TEXAS
BY [Signature] DEPUTY

Nicholas & Sara Gonzalez
430 W Jefferson St.
Port Isabel, TX 78578

MCALLEN TX 785

15 MAY 2023 PM 11



Clerk of the Court:

Tammy Knepper, District clerk
198th Judicial District Court
PO Box 2688
Bandera County, Texas 78003

78003332688



In response to,

Cause No. CVOR-23-0000123

The State Of Texas:

Dennis Zobel

VS

Nicholas Gonzalez, Sara Gonzalez,

Liberty Mutual Insurance, Safeco AKA Safeco Insurance

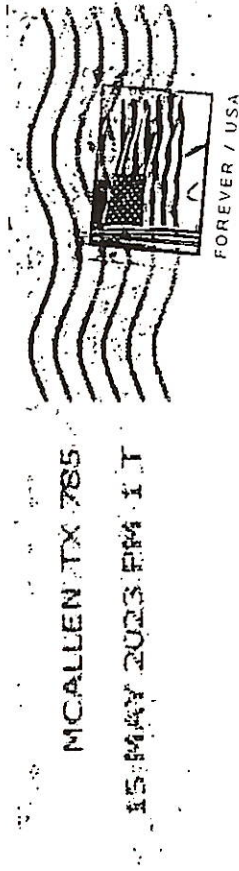
I, Nicholas Gonzalez, was the individual whom had come into contract with Dennis Zobel. Around early May, 2021 there was a fire to the said property. When we became aware of the fire a claim for the said property was made on or around November 2021. It was at that time I came into contact with Doug Lehr who was assigned to my claim on the property and represented liberty Mutual. I was in contact with Doug Lehr regularly regarding the claim, however Neither I nor Doug Lehr were able to obtain a fire report by the Fire Department which responded to the fire. In Addition, further investigation on the property reveled that the property had been sold to a Kenneth Johnson unannounced to me in April prior to the fire occurring and thus the claim was denied by Liberty Mutual.

FILED
AT 130 O'CLOCK 9 M. ON

MAY 18 2023

TAMMY KNEUPER, 198TH DISTRICT CLERK
BANDERA COUNTY, TEXAS
BY D. Kneuper DEPUTY

Nicholas & Sara Gonzalez
430 W Jefferson St.
Port Isabel, TX 78578



Clerk of the Court:
Tammy Knepper, District Clerk
198th Judicial District Court
PO Box 2688
Bandera County, Texas 78003

7800332688